

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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Chapter 7

In re

Jean Touzin and Marie Clotaire,

Case No. 09-23953(RDD)

Debtors

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ORDER TO SHOW CAUSE DIRECTING HSBC MORTGAGE CORPORATION TO COMPLY WITH ORDER DIRECTING LOSS MITIGATION AND TO APPEAR AT MARCH 11, 2010 CONFERENCE

The above debtors (the “Debtors”) filed for relief under Chapter 7 of the Bankruptcy Code on October 16, 2009. On November 11, 2009, the Debtors filed a request to engage in loss mitigation with HSBC Mortgage Corporation under the procedures established by the United States Bankruptcy Court for the Southern District of New York pursuant to the Administrative Order signed by the Honorable Stuart M. Bernstein, Chief Bankruptcy Judge on December 18, 2008 (“Loss Mitigation”). On December 10, 2009, the Court entered an order directing Loss Mitigation and subjecting the parties to the deadlines therein (the “Loss Mitigation Order”). On January 25, 2010 at the regularly scheduled Loss Mitigation conference, Debtor’s counsel appeared; no representative of HSBC Mortgage Corporation appeared. Debtor’s counsel represented at the conference that HSBC Mortgage Corporation had not responded to any notice or overtures made by or on behalf of the Debtors regarding the pending Loss Mitigation. Such delay materially impairs the effectiveness of Loss Mitigation and the Loss Mitigation Order. Accordingly, it is hereby

ORDERED that HSBC Mortgage Corporation promptly comply with the Loss Mitigation Order; and it is further

ORDERED that, absent parties’ joint request for additional time in light of good faith efforts to comply with the Loss Mitigation Order, a representative with authority on behalf of HSBC Mortgage Corporation and counsel appear at the Loss Mitigation conference to be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, on March 11, 2010 at 10:00 a.m. in Courtroom 118, at the United States

Bankruptcy Court, 300 Quarropas Street, White Plains, New York 10601 to report on the progress of the instant Loss Mitigation. Failure to appear may result in the imposition of sanctions, including the Debtors' costs and expenses, including reasonable attorneys' fees and expenses, relating to the adjourned conference; and it is further

ORDERED that the Loss Mitigation period is extended through May 11, 2010; and it is further

ORDERED that counsel for the Debtors promptly serve a copy of this order on HSBC, including at the address that appears on the Debtors' most recent mortgage statement.

Dated White Plains, New York
February 1, 2010

/s/Robert D. Drain
Honorable Robert D. Drain
United States Bankruptcy Judge